



FILED

07-20-06

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Revise
Commission General Order Number 95 pursuant
to D.05-01-030.

Rulemaking 05-02-023
(Filed February 24, 2005)

**ASSIGNED COMMISSIONER AND ADMINISTRATIVE LAW JUDGE'S
RULING ON MOTION TO SET ASIDE SUBMISSION**

On July 18, 2006, Pacific Gas and Electric Company (PG&E), on behalf of PG&E, San Diego Gas & Electric Company, The California Municipal Utilities Association, Cingular Wireless, Crown Castle, NextG Networks, Sprint-Nextel, T-Mobile, and Verizon Wireless (collectively, Moving Parties) filed a joint petition to set aside submission of this proceeding for 45 days, in order to engage in settlement discussions. Moving Parties represent that they are engaging in substantive discussions that may lead to a mutually satisfactory outcome. Moving Parties recognize that although the Commission has not adopted a final decision in this proceeding, a Proposed Decision was issued on April 25, 2006.

In deference to the Moving Parties interest in attempting to settle the remaining issues, we will provide for a short period of additional time to attempt to reach a settlement. However, in recognition that lack of action on this matter presents a safety risk to utility workers, we will provide for a 21-day period within which parties may continue settlement discussion, rather than the requested 45 days. If no motion for adoption of a settlement is filed by August 10, 2006, we will once again place the proposed decision currently before the Commission on the August 24, 2006 agenda for consideration.

Therefore, **IT IS RULED** that parties shall submit a settlement on or before August 10, 2006 on the remaining issues in this proceeding. Absent submission of a settlement on or before August 10, 2006, the proposed decision of Administrative Law Judge Walker will be placed on the Commission's August 24, 2006 agenda for consideration.

Dated July 20, 2006, at San Francisco, California.

/s/ GEOFFREY F. BROWN

Geoffrey F. Brown
Assigned Commissioner

/s/ MICHELLE COOKE

Michelle Cooke
Administrative Law Judge

INFORMATION REGARDING SERVICE

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Dated July 20, 2006, at San Francisco, California.

/s/ KE HUANG

Ke Huang

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